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PTO/SB/61 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

First Named Inventor: Henry J. Riblet

Art Unit: 3632

Application Number: 09/955,467

Examiner: Naschica S. Morrison

Filed: September 17, 2001

Title: IMPROVED BRACKET ASSEMBLY LOCK

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact  
Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.**

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

**1. Petition fee**

☒ Small entity - fee \$ 55 (37 CFR 1.17(l)). Applicant claims small entity status.  
See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(l)).

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of  
Application Revival and Amendment (identify the type of reply):

☐ has been filed previously on \_\_\_\_\_

☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

☐ has been filed previously on \_\_\_\_\_

☒ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**3. Terminal disclaimer with disclaimer fee**

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

**4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.**

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

July 28, 2004

Date

Signature

1 (603) 544-3253

Telephone Number

Henry J. Riblet

Typed or printed name

52 Pine Needle Lane

Address

Registration Number, if applicable

Melvin Village, NH 03850

Address

- Enclosure ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unavoidable delay
- ☐ \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

July 28, 2004

Date

Signature

Henry J. Riblet

Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
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**NOTE:** The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

July 28, 2004

Date

*Henry J. Riblet*

Signature

Henry J. Riblet

Typed or printed name

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

Although my interest in patents goes back before 1941, when my first patent issued, I have no knowledge of patent law and had never encountered an "abandoned patent application" until now.

The "unavoidable abandonment" of this application results from the fact that my wife and I reside, at the advice of a doctor, in the California desert between November and April. When we arrived in California this year, we found that our phone number had been assigned to someone else. This will explain why I received no word, concerning the application, from the patent lawyer between 01/27/2004, when a copy of the Office Communication was mailed to me in California and 5/17/04 when I first able to access, in New Hampshire, an E-mail from the patent lawyer, sent 5/6/04, notifying me that the application had been abandoned.

Not discouraged, I immediately started writing a preliminary version of an application which would, hopefully, anticipate the examiner's earlier objections. It was just a week ago, however, that I learned that the material in an abandoned application is public knowledge and could be cited against this revised application.

At the same time I was told that the original application could be revived. Would this permit me to file my revised version of the original application as a C.I.P.?

(Please attach additional sheets if additional space is needed.)



Please issue me a patent based on the allowed claims, 5 - 11 of the continuation-in-part of U.S. Patent Application Serial No. 09/477,660, inventor Henry J. Riblet, filed January 5, 2000.

Please remove Figs. 1a, 1b, 1c, 2, 3 and 4 from that patent and, if possible, any reference to those Figures.

Respectively,

*Henry J. Riblet*  
Henry J. Riblet